

**MONTANA PUBLIC SERVICE COMMISSION
TRANSPORTATION/CENTRALIZED SERVICES DIVISION
AGENDA NO. 04-05-25**

Date Published: May 20, 2004

For Work Week Commencing: May 24, 2004

Commission Meeting: May 25, 2004, 9:00 a.m.

General Introduction This agenda is the Commission's Transportation and Centralized Services Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this division agenda and subscribing to notice by mail may be made to Wayne Budt at (406) 444-6195. Mr. Budt may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. T-04.19.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana, PSC No. 56, for failure to file a 2003 Annual Report. The Order to Show Cause was sent via certified mail and received by the carrier on May 7, 2004. No report has been filed.

Class B - Persons, baggage and express within the City of Kalispell, Montana and between points and places tributary thereto, but not exceeding fifty (50) miles in any direction from said City of Kalispell.

SUB A Class B - Persons within the City of Kalispell, Montana, and to or from points tributary thereto, but within a distance not exceeding twenty-five (25) miles in any direction from said city.

SUB C Class B - Persons and hand luggage between all points and places within the town of Kalispell, Montana.

ACTION:

2. T-04-22.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to Gerald Paul Clark dba Andy's Motor Freight, Anaconda, Montana, PSC No. 1453, for failure to file a 2003 Annual Report. The Order to Show Cause was sent via certified mail and returned to this office unclaimed. No report has been filed.

Class B - Property within the City of Anaconda, Montana and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city.
Limitation: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

ACTION:

3. T-04.28.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to James H. and Joan P. Michael dba Airport Shuttle Service, Kalispell, Montana as owner/lessor of PSC No. 3664 and Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana as lessee/operator for failure to file a 2003 Annual Report. This Order to Show Cause was sent to the parties by certified mail and received by them on May 3 and May 7, respectively. No report has been filed.

Class B - Persons and baggage from Kalispell, Montana, and a two mile radius thereof to Glacier International Airport via U.S. Highway No. 2, and State Highway No. 206, serving all intermediate points and return.

Limitations: The transportation of persons and baggage between points and places within the City of Kalispell and a two mile radius thereof is prohibited.

SUB A Class B - Persons and baggage deplaning from Frontier Airlines and Hughes Airwest flights at Glacier Park International Airport to West Glacier, Montana, and return over Montana Highway No. 206 and 40 and U.S. Highway No. 2, subject to the condition that carrier advise Glacier Park, Inc., of its proposed service schedule and take such steps as may be reasonably necessary to coordinate service with that furnished by Glacier Park, Inc.

SUB B Class B - Persons and personal baggage between all points and places within Kalispell and a three (3) mile radius thereof. Limitations: 1) Transportation of passengers in limousine service is prohibited. 2) Transportation of Burlington Northern train crews is prohibited. 3) Transportation of express is prohibited. 4) Utilization of vans is restricted to the transportation of fifteen (15) people, or less, per vehicle.

ACTION:

4. T-04.36.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana, PSC No. 9364, for failure to file a 2003 Annual Report. This Order to Show Cause was sent via certified mail and received by the carrier on May 7, 2004. No report has been filed.

SUB B Class B - Passengers, baggage and express between all points and places in Lincoln and Sanders Counties. Limitations: Transportation of railway crews is prohibited. Transportation by limousine is prohibited. 2) Transportation by limousine is prohibited. 3) Transportation of passengers, baggage and express between points and places in Libby, Montana and a thirty (30) mile radius thereof is prohibited. 4) Transportation of passengers, baggage and express between points and places in Eureka, Montana and a thirty (30) mile radius thereof is prohibited.

SUB C Class B - Passengers, baggage and express between all points and places in Eureka, Montana and a thirty (30) mile radius thereof. Limitations: 1) Transportation of railway crews is prohibited. 2) Transportation by limousine is prohibited.

ACTION:

5. T-04.37.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to Darin Niebuhr dba Piano Pathways, Billings, Montana, PSC No. 9389, for failure to file a 2003 Annual Report. The Order to Show Cause was sent via certified mail and no response has been received.

Class B - Pianos and organs between all points and places within Big Horn, Carbon, Stillwater, Treasure, and Yellowstone Counties.

ACTION:

6. T-04.38.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to David R. Colbrese dba Glendive Taxi, Glendive, Montana, PSC No. 9440, for failure to file a 2003 Annual Report. The Order to Show Cause was sent via certified mail and received by the carrier on May 3, 2004. No report has been filed.

Class B – Passengers between all points and places within the City of Glendive, Montana and a ten (10) mile radius thereof.

ACTION:

7. T-04.39.AR (Wayne)

On April 30, 2004 an Order to Show Cause was issued to Marvin R. Black, Jr. dba Shelby Services, Shelby, Montana, PSC No. 9442, for failure to file a 2003 Annual Report. This report was sent via certified mail and received by the carrier on May 1, 2004. No report has been filed.

Class B – Passengers between all points and places in Shelby, Montana and a 100 mile radius thereof. LIMITATIONS: 1) Transportation in limousine service is prohibited. 2) Transportation of rail crews is prohibited. 3) All transportation to Great Falls, Montana must terminate at the Great Falls International Airport, or the Benefis East Hospital Campus, or the Benefis West Hospital Campus or medical offices. 4) All transportation movements that originate in Cascade County must terminate outside that county. 5) Transportation is limited to seven (7) passengers or less.

ACTION:

8. T-04.18.OTSC (Wayne)

On April 29, 2004 an Order to Show Cause was issued to Carl James Asimus and Joshua Harlow Stevens, a partnership dba Sumisa, Livingston, Montana, PSC No. 9438, for failure to reactivate following 12 months of continuous suspension. This Order to Show Cause was sent via certified mail and there has been no response from the carrier.

Class A – Passengers between Livingston, Montana and Gardiner, Montana, serving the intermediate points of Emigrant and Corwin Springs and the off-route point of Chico Hot Springs.

ACTION:

9.. Approval of Commission Minutes (Wayne)

Approval of the Commission Minutes for the week of May 17, 2004.

ACTION: